

Substitute for Form PTO-1390		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 018912-170
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/550596</b>
INTERNATIONAL APPLICATION NO. PCT/JP2004/003987	INTERNATIONAL FILING DATE March 23, 2004	PRIORITY DATE CLAIMED March 23, 2003	
TITLE OF INVENTION  TWO-DIMENSIONAL PHOTONIC CRYSTAL SURFACE-EMITTING LASER			
APPLICANT(S) FOR DO/EO/US NODA, Susumu; YOKOYAMA, Mitsuru; SEKINE, Koujirou and MIYAI, Eiji			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission to items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (22) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>			
Items 11 to 21 below concern document(s) or information included:			
<ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A FIRST preliminary amendment.</li> <li>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: <u>General Authorization, Application Data Sheet and PCT/ISA/210</u></li> </ol>			

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/550596</b>		INTERNATIONAL APPLICATION NO. PCT/JP2004/003987		ATTORNEY'S DOCKET NUMBER 018912-170	
---	--	--	--	--	--

  

<p>21. <input checked="" type="checkbox"/> Applicant(s) requests that the published application include the following assignment information: <u>JAPAN SCIENCE AND TECHNOLOGY AGENCY, Kawaguchi-shi, Japan</u></p> <p>22. <input checked="" type="checkbox"/> The following fees are submitted:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="4">Basic Filing Fee (1631)</td> <td style="text-align: right;">\$ 300.00</td> <td></td> </tr> <tr> <td colspan="4">Surcharge of \$130.00 (1617) for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">CLAIMS</td> <td style="text-align: center;">NUMBER FILED</td> <td style="text-align: center;">NUMBER EXTRA</td> <td style="text-align: center;">RATE</td> <td style="text-align: right;">\$</td> <td></td> </tr> <tr> <td>Total Claims</td> <td style="text-align: center;">8</td> <td style="text-align: center;">-20 =</td> <td style="text-align: center;">0</td> <td style="text-align: right;">x \$50.00 (1615)</td> <td style="text-align: right;">\$ 0.00</td> </tr> <tr> <td>Independent Claims</td> <td style="text-align: center;">2</td> <td style="text-align: center;">-3 =</td> <td style="text-align: center;">0</td> <td style="text-align: right;">x \$200.00 (1614)</td> <td style="text-align: right;">\$ 0.00</td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td style="text-align: right;">+ \$360.00 (1616)</td> <td></td> </tr> <tr> <td colspan="4">Examination Fee</td> <td style="text-align: right;">+ \$200.00 (1633)</td> <td style="text-align: right;">\$ 200.00</td> </tr> <tr> <td colspan="4">Search Fee</td> <td style="text-align: right;">+ \$400.00 (1432)</td> <td style="text-align: right;">\$ 400.00</td> </tr> <tr> <td colspan="4">App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets)</td> <td></td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td></td> <td style="text-align: right;">\$ 900.00</td> </tr> <tr> <td colspan="4"><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</td> <td style="text-align: right;">+</td> <td style="text-align: right;">\$ 0.00</td> </tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL =</td> <td></td> <td style="text-align: right;">\$ 900.00</td> </tr> <tr> <td colspan="4">Processing fee of \$130.00 (1618) for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</td> <td></td> <td style="text-align: right;">\$ 0.00</td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL NATIONAL FEE =</td> <td></td> <td style="text-align: right;">\$ 900.00</td> </tr> <tr> <td colspan="4">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (8021) per property +</td> <td></td> <td style="text-align: right;">\$ 0.00</td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL FEES ENCLOSED =</td> <td></td> <td style="text-align: right;">\$ 900.00</td> </tr> <tr> <td colspan="4"></td> <td style="text-align: right;">Amount to be refunded :</td> <td></td> </tr> <tr> <td colspan="4"></td> <td style="text-align: right;">charged :</td> <td></td> </tr> </table> <p>a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>02-4800</u> in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-4800</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> Charge <u>\$ 900.00</u> to credit card. Form PTO-2038 is attached.</p> <p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Burns, Doane, Swecker &amp; Mathis, L.L.P. P.O. Box 1404 Alexandria, Virginia 22313-1404 (703) 836-6620</p> </td> <td style="width: 50%; vertical-align: top;"> <p style="text-align: center;"><i>h. Rowland, Reg. No. 35,333</i></p> <p>SIGNATURE</p> <p style="text-align: center;">_____ William C. Rowland</p> <p>NAME</p> <p style="text-align: center;">_____ 30,888      September 23, 2005</p> <p>REGISTRATION NO.      DATE</p> </td> </tr> </table>	Basic Filing Fee (1631)				\$ 300.00		Surcharge of \$130.00 (1617) for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).						CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$		Total Claims	8	-20 =	0	x \$50.00 (1615)	\$ 0.00	Independent Claims	2	-3 =	0	x \$200.00 (1614)	\$ 0.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00 (1616)		Examination Fee				+ \$200.00 (1633)	\$ 200.00	Search Fee				+ \$400.00 (1432)	\$ 400.00	App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets)						TOTAL OF ABOVE CALCULATIONS =					\$ 900.00	<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+	\$ 0.00	SUBTOTAL =					\$ 900.00	Processing fee of \$130.00 (1618) for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					\$ 0.00	TOTAL NATIONAL FEE =					\$ 900.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (8021) per property +					\$ 0.00	TOTAL FEES ENCLOSED =					\$ 900.00					Amount to be refunded :						charged :		<p>SEND ALL CORRESPONDENCE TO:</p> <p>Burns, Doane, Swecker &amp; Mathis, L.L.P. P.O. Box 1404 Alexandria, Virginia 22313-1404 (703) 836-6620</p>	<p style="text-align: center;"><i>h. Rowland, Reg. No. 35,333</i></p> <p>SIGNATURE</p> <p style="text-align: center;">_____ William C. Rowland</p> <p>NAME</p> <p style="text-align: center;">_____ 30,888      September 23, 2005</p> <p>REGISTRATION NO.      DATE</p>
Basic Filing Fee (1631)				\$ 300.00																																																																																																										
Surcharge of \$130.00 (1617) for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).																																																																																																														
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$																																																																																																										
Total Claims	8	-20 =	0	x \$50.00 (1615)	\$ 0.00																																																																																																									
Independent Claims	2	-3 =	0	x \$200.00 (1614)	\$ 0.00																																																																																																									
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00 (1616)																																																																																																										
Examination Fee				+ \$200.00 (1633)	\$ 200.00																																																																																																									
Search Fee				+ \$400.00 (1432)	\$ 400.00																																																																																																									
App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets)																																																																																																														
TOTAL OF ABOVE CALCULATIONS =					\$ 900.00																																																																																																									
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+	\$ 0.00																																																																																																									
SUBTOTAL =					\$ 900.00																																																																																																									
Processing fee of \$130.00 (1618) for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					\$ 0.00																																																																																																									
TOTAL NATIONAL FEE =					\$ 900.00																																																																																																									
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (8021) per property +					\$ 0.00																																																																																																									
TOTAL FEES ENCLOSED =					\$ 900.00																																																																																																									
				Amount to be refunded :																																																																																																										
				charged :																																																																																																										
<p>SEND ALL CORRESPONDENCE TO:</p> <p>Burns, Doane, Swecker &amp; Mathis, L.L.P. P.O. Box 1404 Alexandria, Virginia 22313-1404 (703) 836-6620</p>	<p style="text-align: center;"><i>h. Rowland, Reg. No. 35,333</i></p> <p>SIGNATURE</p> <p style="text-align: center;">_____ William C. Rowland</p> <p>NAME</p> <p style="text-align: center;">_____ 30,888      September 23, 2005</p> <p>REGISTRATION NO.      DATE</p>																																																																																																													